

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Laura A. Wasser, Esq. (SBN 173740)  
WASSER, COOPERMAN & CARTER  
Professional Corporation  
2029 Century Park East, Suite 1200  
Los Angeles, CA 90067-2957  
TELEPHONE NO.: (310) 277-7117 FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): Britney Spears

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 North Hill Street  
MAILING ADDRESS: 111 North Hill Street  
CITY AND ZIP CODE: Los Angeles, CA 90012  
BRANCH NAME: CENTRAL DISTRICT

PETITIONER/PLAINTIFF: BRITNEY SPEARS

RESPONDENT/DEFENDANT: KEVIN FEDERLINE

FOR COURT USE ONLY

Redacted

FILED

LOS ANGELES SUPERIOR COURT

AUG 27 2007

*[Signature]*

EX PARTE APPLICATION AND  
NOTICE OF MOTION

- ☐ Child Custody ☐ Modification ☐ Visitation ☐ Injunctive Order  
☐ Child Support ☐ Spousal Support ☒ Other (specify):  
☐ Attorney Fees and Costs See Attachment 9

CASE NUMBER:  
BD 455662

[Hon. Scott Gordon, Comm.]

1. TO (name): KEVIN FEDERLINE AND HIS ATTORNEYS OF RECORD
2. A hearing on this motion for the relief requested in the attached application will be held as follows:

a. Date: August 27, 2007 Time: 8:30 a.m. ☒ Dept.: 88 ☒ Rm.: 831

b. Address of court ☒ same as noted above ☐ other (specify):

3. Supporting attachments:

- a. Completed Application for Order and Supporting Declaration (form FL-310) and a blank Responsive Declaration (form FL-320)
- b. ☐ Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declaration
- c. ☐ Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)
- d. ☐ Completed Property Declaration (form FL-160) and a blank Property Declaration
- e. ☒ Points and authorities
- f. ☒ Other (specify): Declaration of Laura A. Wasser, Esq.

Date: August 27, 2007

LAURA A. WASSER of WASSER, COOPERMAN & CARTER  
(TYPE OR PRINT NAME)

ORDER

(SIGNATURE)

4. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):

5. Any responsive declaration must be served on or before (date):

6. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed above. The parties are ordered to attend orientation and mandatory custody services as follows:

Date:

JUDICIAL OFFICER

**NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.**

You do not have to pay any fee to file declarations in response to this Notice of Motion (including a completed Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to [www.courtinfo.ca.gov/selfhelp/courtcalendars/](http://www.courtinfo.ca.gov/selfhelp/courtcalendars/).

PETITIONER/PLAINTIFF: BRITNEY SPEARS

CASE NUMBER:

RESPONDENT/DEFENDANT: KEVIN FEDERLINE

BD 455662

## 7. PROOF OF SERVICE BY MAIL

a. I am at least age 18, **not a party to this action**, and am a resident or employed in the county where the mailing took place. My residence or business address is:

b. I served copies of the following documents by enclosing them in a sealed envelope with postage fully prepaid, depositing them in the United States mail as follows:

## (1) Papers served:

- (a) *Notice of Motion* and a completed *Application for Order and Supporting Declaration* (form FL-310) **and** a blank *Responsive Declaration* (form FL-320)
- (b) ☐ Completed *Income and Expense Declaration* (form FL-150) **and** a blank *Income and Expense Declaration*
- (c) ☐ Completed *Financial Statement (Simplified)* (form FL-155) **and** a blank *Financial Statement (Simplified)*
- (d) ☐ Completed *Property Declaration* (form FL-160) **and** a blank *Property Declaration*
- (e) ☐ Points and authorities
- (f) Other (specify):

## (2) Manner of service:

- (a) Date of deposit:
- (b) Place of deposit (city and state):
- (c) Addressed as follows:

c. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

PETITIONER: BRITNEY SPEARS

CASE NUMBER:

RESPONDENT: KEVIN FEDERLINE

BD 455662

## APPLICATION FOR ORDER AND SUPPORTING DECLARATION

☒ Petitioner ☐ Respondent ☐ Claimant **—THIS IS NOT AN ORDER—** requests the following orders:

1. ☐ CHILD CUSTODY ☐ To be ordered pending the hearinga. Child (name, age)b. Legal custody to

(person who makes decisions about health, education, etc.) (name)

c. Physical custody to

(person with whom child lives.) (name)

☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

☐ As requested in form ☐ FL-311 ☐ FL-312 ☐ FL-341(C) ☐ FL-341(D) ☐ FL-341(E)2. ☐ CHILD VISITATION ☐ To be ordered pending the hearinga. As requested in: (1) ☐ Attachment 2a (2) ☐ Form FL-311 (3) ☐ Other (specify):b. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

c. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.) The orders are from the following court or courts (specify county and state):(1) ☐ Criminal: County/state: \_\_\_\_\_

Case No. (if known): \_\_\_\_\_

(3) ☐ Juvenile: County/state: \_\_\_\_\_

Case No. (if known): \_\_\_\_\_

(2) ☐ Family: County/state: \_\_\_\_\_

Case No. (if known): \_\_\_\_\_

(4) ☐ Other: County/state: \_\_\_\_\_

Case No. (if known): \_\_\_\_\_

3. ☐ CHILD SUPPORT (An earnings assignment order may be issued.)a. Child (name, age)b. Monthly amount (if not by guideline)

\$

c. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

4. ☐ SPOUSAL OR PARTNER SUPPORT (An earnings assignment order may be issued.)a. ☐ Amount requested (monthly): \$b. ☐ Terminate existing order

(1) filed on (date):

(2) ordering (specify):

c. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

5. ☐ ATTORNEY FEES AND COSTS a. ☐ Fees: \$b. ☐ Costs: \$

**NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100) and *Temporary Restraining Order and Notice of Hearing (Domestic Violence Prevention)* (form DV-110).**

PETITIONER: BRITNEY SPEARS

CASE NUMBER:

BD 455662

RESPONDENT: KEVIN FEDERLINE

6. ☐ PROPERTY RESTRAINT ☐ To be ordered pending the hearing

a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.

☐ The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.

b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.

c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

7. ☐ PROPERTY CONTROL ☐ To be ordered pending the hearing

a. ☐ The petitioner ☐ respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying (specify):

b. ☐ The petitioner ☐ respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:

DebtAmount of paymentPay to

8. ☐ I request that time for service of the Order to Show Cause and accompanying papers be shortened so that these documents may be served no less than (specify number): \_\_\_\_\_ days before the time set for the hearing. I need to have the order shortening time because of the facts specified in the attached declaration.

9. ☒ OTHER RELIEF (specify): See attachment 9.

10. ☒ FACTS IN SUPPORT of relief requested and change of circumstances for any modification are (specify):  
☒ contained in the attached declaration of Laura A. Wasser, Esq., and Memorandum of Points and Authorities.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 22, 2007

LAURA A. WASSER, ESQ.

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)

1 ATTACHMENT 9

2 9. OTHER ORDERS

3 It is hereby ORDERED, ADJUDGED and DECREED as follows:

4 A. Respondent, Kevin Federline's, Order to Show Cause [REDACTED] and  
5 for Attorneys' Fees and Costs, (hereinafter "Order to Show Cause") currently set for  
6 September 17, 2007 is continued to November \_\_, 2007 in Department 88 of the Los  
7 Angeles Superior Court. Petitioner shall serve and file her responsive pleadings on counsel  
8 for Respondent on or before \_\_, 2007. Respondent shall serve and file his  
9 reply pleadings, if any, on Petitioner's counsel on or before \_\_, 2007.

10 B. A status conference is set for September 4, 2007. At the status conference,  
11 counsel will advise the Court of the amount of time they will need to complete discovery in  
12 order to prepare for the hearing on Respondent's Order to Show Cause [REDACTED]

13 C. Counsel for Respondent and Counsel for Petitioner shall meet and confer to  
14 select dates for the depositions of Petitioner, Respondent and any other third party witness  
15 on dates that are mutually available to both counsel and the witness. Counsel shall meet  
16 and confer prior to setting any depositions to avoid future calendaring conflicts.

17 D. Such other and further orders as are reasonably required to fully implement  
18 such orders as are made by the Court herein.

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 Petitioner, BRITNEY SPEARS (hereinafter "Petitioner"), hereby submits the  
3 following Memorandum of Points and Authorities in support of her Ex Parte Application to  
4 Continue Respondent's Order to Show Cause [REDACTED] and for  
5 Attorneys' Fees and Costs currently set for hearing on September 17, 2007:

6 SUMMARY OF FACTS AND ARGUMENT

7 Respondent filed an Order to Show Cause [REDACTED] and for  
8 Attorneys' Fees and Costs. Said Order to Show Cause is currently set to be heard on  
9 September 17, 2007. [REDACTED]  
10 [REDACTED]  
11 [REDACTED]

12 In connection with the Order to Show Cause, Respondent has set the deposition of  
13 six witnesses thus far. The depositions were scheduled by Respondent's counsel without  
14 any effort to meet and confer with Petitioner's counsel or the witnesses prior to setting the  
15 dates. As a result, most of the depositions need to be rescheduled due to calendar  
16 conflicts.<sup>1</sup>

17 Petitioner will also need to conduct discovery in order to prepare for the hearing on  
18 Respondent's Order to Show Cause. [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]

23  
24 <sup>1</sup>The Court should note that Respondent's counsel was notified on several occasions,  
25 prior to filing Petitioner's Order to Show Cause or serving any of the deposition subpoenas,  
26 that Petitioner's lead counsel, Laura A. Wasser would be away on vacation from August 17,  
27 2007 through September 3, 2007. With that knowledge, Respondent's counsel set all of the  
28 depositions to occur in Ms. Wasser's absence and without verifying that any other attorney  
in Ms. Wasser's office or the witnesses would be available on the dates set. As a result, the  
deposition of Petitioner must be rescheduled and at least 2 other witnesses have advised that  
they will need to reschedule their depositions.

1 There is not enough time between now and the September 17, 2007 hearing for  
2 either party to conduct and complete their discovery. Respondent currently has depositions  
3 scheduled for the following dates, August 28, September 5, September 6, September 7, and  
4 September 12, 2007. Even if Respondent can successfully complete the depositions he has  
5 set, Petitioner will be prejudiced by the fact that she will not know what these deponents  
6 say under oath in time to use the information in her responsive pleadings which are  
7 currently due on September 4, 2007. Petitioner is further prejudiced by the lack of time  
8 available for her to conduct and complete the discovery she needs to prepare for the  
9 hearing.

10 Due to the amount of discovery which has been propounded by Respondent and the  
11 discovery which will need to be propounded by Petitioner, good cause exists for a  
12 continuance of the Order to Show Cause currently set for September 17, 2007, to a date far  
13 enough in the future to allow both sides to conduct discovery necessary to prepare for the  
14 hearing.

15 I.

16  
17 **THE COURT MAY GRANT A CONTINUANCE**  
**UPON SHOWING OF GOOD CAUSE**

18 California Rules of Court Rule 3.1332 provides, in pertinent part, as follows:

19 (b) A party seeking a continuance of a date set for trial  
20 whether contested or uncontested or stipulated to by the parties,  
21 must make a request for continuance by noticed motion or ex  
22 parte application under the Rules in Chapter 4 of this division,  
23 with supporting declarations. The party must make the motion  
24 of application as soon as reasonably practical once the necessity  
25 for the continuance is discovered.

26 (c) . . . the court may grant a continuance only on an affirmative  
27 showing of good cause requiring the continuance.

28 ///

1 ... (7) the significant unanticipated change in the status of the  
2 case as a result of which the case is not ready for trial.

3 In the instant case, on August 8, 2007, Respondent filed his Order to Show  
4 Cause [REDACTED] and for Attorneys' Fees and Costs. There is not enough time for  
5 both parties to conduct and complete the discovery which is necessary to prepare for the  
6 hearing on the Order to Show Cause currently set for September 17, 2007.

7 In light of the amount of discovery which has been propounded by Respondent and  
8 the amount of discovery which will need to be propounded by Petitioner, the parties cannot  
9 be ready for hearing on September 17, 2007. Therefore, good cause exists for the Court to  
10 grant a continuance.

11 CONCLUSION

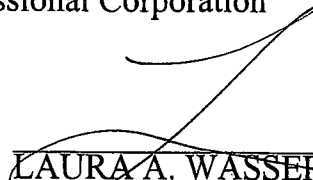
12 By reason of the foregoing, Petitioner requests that the relief set forth in her Ex Parte  
13 Application and accompanying Motion be granted in its entirety.

14  
15 Respectfully submitted,

16 DATED: August 27, 2007

17 WASSER, COOPERMAN & CARTER  
18 Professional Corporation

19 By:

20   
21 LAURA A. WASSER  
22 Attorneys for Petitioner  
23  
24  
25  
26  
27  
28



1                                    DECLARATION OF LAURA A. WASSER, ESQ.

2            I, LAURA A. WASSER, declare as follows:

3            1.        I am an attorney at law duly licensed to practice before all Courts in the State  
4 of California. I am a partner with the law firm of Wasser, Cooperman & Carter,  
5 Professional Corporation, attorneys of record for Petitioner, BRITNEY SPEARS. I have  
6 personal knowledge of the following facts set forth herein, and if called as a witness, I  
7 could and would testify competently thereto. I submit this Declaration in connection with  
8 Petitioner's Ex Parte Application for a continuance of Respondent's Order to Show Cause  
9 [REDACTED] and for Attorneys' Fees and Costs, currently set for hearing on  
10 September 17, 2007, or in the alternative for an Order Shortening Time for a hearing to  
11 continue same.

12           2.        On August 8, 2007, our office was served with Respondent's Order to Show  
13 Cause [REDACTED] and for Attorneys' Fees and Costs. Attached to  
14 Respondent's Order to Show Cause, in addition to his declaration were the declarations of  
15 two third party witnesses. Based on the content of the declaration of Respondent and the  
16 two third party witnesses, it will be necessary for Petitioner to set the depositions and  
17 depose all three witnesses in preparation for the hearing. In addition to the witnesses who  
18 have offered declarations in support of Respondent's request, Petitioner will need to depose  
19 at least 3 other witnesses who have information relevant to [REDACTED]  
20 [REDACTED]  
21 [REDACTED]

22           3.        In addition to the discovery Petitioner will need to conduct in order to prepare  
23 for the hearing on Respondent's Order to Show Cause, Respondent has served deposition  
24 subpoenas on six (6) third party witnesses, in addition to that of Petitioner. Respondent's  
25 counsel set the depositions knowing that I had a planned vacation and would not be in the  
26 office from August 17, 2007 through September 3, 2007. After I received the first of the  
27 deposition subpoenas propounded by Respondent's counsel, I sent him a letter reminding  
28 him of my vacation and informed him that the depositions would need to be rescheduled.

1 (A true and correct copy of my letter to Respondent's counsel dated August 10 2007 is  
2 attached hereto and marked as Exhibit "A".) I am currently away on vacation and my first  
3 day back in the office will be September 4, 2007. In addition, Dennis Wasser, who is  
4 assisting in the preparation of and trial on Respondent's Order to Show Cause is scheduled  
5 to be away on vacation from August 25, 2007 returning to the office on September 4, 2007.  
6 Up to now Mr. Wasser and I have been the only attorneys' in our firm with any knowledge  
7 of the case at bar.

8 4. Respondent's counsel has been advised by our office that the depositions he  
9 has set will need to be rescheduled because there are numerous calendar conflicts. Upon  
10 my return to the office, we will be propounding discovery on behalf of Petitioner. Before  
11 we set the deposition of any witness, we will meet and confer with Respondent's counsel  
12 regarding available dates on his and Respondent's calendars.

13 5. There is not enough time between now and the date set for hearing,  
14 September 17, 2007, to allow for all of the depositions currently set by Respondent and to  
15 be set by Petitioner to be completed. There is not enough time for additional discovery that  
16 may need to be propounded based upon the information obtained from the deponents.  
17 Moreover, neither party will have enough time to complete their discovery in order to use  
18 the information obtained in their responsive papers, Petitioner's responsive papers are due  
19 on September 4, 2007 and Respondent's reply papers are due on September 10, 2007.

20 6. Based on the foregoing, good cause exists and it is necessary to continue  
21 Respondent's Order to Show Cause currently set for September 17, 2007, to a later date to  
22 allow both sides to conduct and complete necessary discovery prior to the hearing.

23 I declare under penalty of perjury under the laws of the State of California that the  
24 foregoing is true and correct.

25 Executed on this 27 day of August, 2007, at Los Angeles, California.

26  
27  
28  
LAURA A. WASSER, Declarant

LAW OFFICES  
**WASSER, COOPERMAN & CARTER**  
PROFESSIONAL CORPORATION

DENNIS M. WASSER  
BRUCE E. COOPERMAN  
SUSAN K. CARTER  
LAURA LANDESMAN  
JOHN A. FOLEY  
LAURA A. WASSER  
MELANIE D. MANDLES  
NAN ZIRAFI  
SAMANTHA KLEIN  
JAY A. POLSTEIN

2029 CENTURY PARK EAST  
ONE CENTURY PLAZA SUITE 1200  
LOS ANGELES, CALIFORNIA 90067-2957

TELEPHONE: (310) 277-7117

FACSIMILE: (310) 553-1793

OF COUNSEL  
MICHAEL BROURMAN  
PHYLLIS J. BERSCH  
AMY L. RICE

MARY E. YATES  
SENIOR PARALEGAL

BERNICE S. FONG  
PARALEGAL

August 15, 2007

VIA TELECOPIER ONLY

Mark Vincent Kaplan, Esq.  
KAPLAN & SIMON, L.L.P.  
2049 Century Park East, Ste. 2660  
Los Angeles, CA 90067

Re: Marriage of Spears/Federline

Dear Mark:

This letter is in regard to our recent discussion about our offices working together to assist each other in the service of third-party Subpoenas, where possible. This would obviate the need for either office to chase potential witnesses, which would only cause more unnecessary fees and unwanted media attention to this matter.

Please confirm that you still are willing to work with us to get third-party witnesses served. Once we receive your confirmation, we can exchange lists of third-party witnesses and determine which ones each side can accept service for and proceed accordingly.

In light of the time parameters surrounding this matter, we request your response to this letter on or before 1:00 p.m. Friday, August 17, 2007.

Sincerely,



LAURA A. WASSER

NZ:lvb

cc: Dennis M. Wasser, Esq.  
Laura Landesman, Esq.  
Nan Zirafi, Esq.

Confirmation Report - Memory Send

Time : Aug-15-2007 02:05pm  
Tel line : +3105531793  
Name : WASSER COOPERMAN CARTER PC

Job number : 760  
Date : Aug-15 02:05pm  
To : 13105521970  
Document pages : 002  
Start time : Aug-15 02:05pm  
End time : Aug-15 02:05pm  
Pages sent : 002  
Status : OK

Job number : 760

\*\*\* SEND SUCCESSFUL \*\*\*

DENNIS M. WASSER  
BRUCE E. COOPERMAN  
SUSAN K. CARTER  
LAURA LANDSMAN  
JOHN A. SOLEY  
LAURA A. WASSER  
MELANIE D. MANDLIS  
NAN ZIEGLER  
SAMANTHA KLEIN  
JAY A. FOLSTEIN

LAW OFFICES  
**WASSER, COOPERMAN & CARTER**  
PROFESSIONAL CORPORATION  
2029 CENTURY PARK EAST  
ONE CENTURY PLAZA SUITE 1200  
LOS ANGELES, CALIFORNIA 90067-2957  
TELEPHONE: (310) 277-7117  
FACSIMILE: (310) 553-1793

OF COUNSEL  
MICHAEL BROURMAN  
PHYLLIS J. BERSON  
AMY L. RICE

MARY E. YATES  
SENIOR PARALEGAL  
BERNICE S. FONG  
PARALEGAL

FAX TRANSMITTAL COVER

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THE COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Date Sent: 8/15/07  
Operator: lvb

Time Sent: Approx. 2<sup>00</sup> PM  
To Fax No.: (310) 552-1970

INTENDED RECIPIENT: MARK VINCENT KAPLAN, ESQ.  
SUBJECT/CASE: SPEARS/FEDERLINE  
FROM: LAURA A. WASSER, ESQ.  
OF WASSER, COOPERMAN & CARTER  
TELEPHONE: (310) 277-7117 FAX: (310) 553-1793

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET: 2

DOCUMENT/COMMENTS:

ORIGINAL/COPY WILL BE: ☐ MAILED  
☐ MESSENGERED

☒ WILL NOT BE SENT  
☐ SENT BY FED. EXP.